THE BOMBAY RENTS, HOTEL AND LODGING HOUSE RATES CONTROL ACT, 1947.

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SCHEDULES I TO III.

BOMBAY ACT No. LVII OF 1947.[1]

[THE BOMBAY RENTS, HOTEL AND LODGING HOUSE RATES CONTROL ACT, 1947.]

[*19th January 1948.*]

Amended by Bom. 36 of 1948.
,, ,, ,, 3 of 1949.

An Act to amend and consolidate the law relating to the control of rents and repairs of certain premises, of rates of hotels and lodging houses and of evictions.

WHEREAS it is expedient to amend and consolidate the law relating to the control of rents and repairs of certain premises, of rates of hotels and lodging houses and of evictions; It is hereby enacted as follows:—

PART I.

Preliminary.

Short title.

1. This Act may be called the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947.

Extent.

2. (*1*) Parts I and IV of this Act shall extend to the whole of the Province of Bombay.

(*2*) Parts II and III shall extend respectively to the areas specified in Schedules I and II to this Act and shall continue to extend to any such area notwithstanding that the area ceases to be of the description therein specified.

(*3*) The Provincial Government may, by notification in the *Official Gazette*, extend to any other area any or all of the provisions of Part II or Part III or of both.

(*4*) The Provincial Government may, at any time by like notification, direct that any or all of the provisions of Part II or Part III or of both, as the case may be, shall cease to extend to such area and on such date as may be specified in the notification; and on that date the said provisions shall cease to be in force in such area.

Commencement and duration.

3. (*1*) This Act shall come into operation on such date as the Provincial Government may, by notification in the *Official Gazette*, appoint in this behalf.

(*2*) It shall remain in force upto and inclusive of the 31st day of March 1950:

Provided that the Provincial Government may, by notification in the *Official Gazette*, direct that it shall remain in force for a further period not exceeding two years.

Bom. I of 1904.

(*3*) Section 7 of the Bombay General Clauses Act, 1904, shall apply upon the expiry of this Act or upon this Act or any provision thereof ceasing to be in force in any area, as if it had then been repealed by a Bombay Act.

Exemptions.

4. (*1*) This Act shall not apply to any premises belonging to the Government or a local authority or apply as against the Government to any tenancy or other like relationship created by a grant from the Government in respect of premises taken on lease or requisitioned by the Government; but it shall apply in respect of premises let to the Government or a local authority.

(*2*) The Provincial Government may direct that all or any of the provisions of this Act shall not apply to premises used for a public purpose of a charitable nature.

[1] For Statement of Objects and Reasons, see *Bombay Government Gazette*, 1947, Part V, page 364.

Definitions.

5. In this Act unless there is anything repugnant to the subject or context—

(*1*) "fair rate" means the rate fixed under section 33 and includes the rate as revised under section 34;

(*2*) "hotel or lodging house" means a building or part of a building where lodging with or without board or other service is provided for a monetary consideration;

(*3*) "landlord" means any person who is, for the time being, receiving, or entitled to receive, rent in respect of any premises whether on his own account or on account, or on behalf, or for the benefit, of any other person, or as a trustee, guardian, or receiver for any other person or who would so receive the rent or be entitled to receive the rent if the premises were let to a tenant; and includes any person not being a tenant who from time to time derives title under a landlord; and further includes in respect of his sub-tenant a tenant who has sub-let any premises;

(*4*) "legal representative" means a legal representative as defined in the Code of Civil Procedure, 1908, and includes also, in the case of joint family property, the joint family of which the deceased person was a member. V of 1908.

(*5*) "manager of a hotel" includes any person in charge of the management of a hotel;

(*6*) "owner of a lodging house" includes any person who receives or is entitled to receive, whether on his own account or on behalf of himself and others or as an agent or trustee, any monetary consideration from any person on account of board, lodging or other service;

(*7*) "permitted increase" means an increase in rent permitted under the provisions of this Act;

(*8*) "premises" means—

(*a*) any land not being used for agricultural purposes,

(*b*) any building or part of a building let separately (other than a farm building) including—

(i) the garden, grounds, garages and out-houses, if any, appurtenant to such building or part of a building,

(ii) any furniture supplied by the landlord for use in such building or part of a building,

(iii) any fittings affixed to such building or part of a building for the more beneficial enjoyment thereof,

but does not include a room or other accommodation in a hotel or lodging house;

(*9*) "prescribe" means prescribe by rules and prescribed shall be construed accordingly;

(*10*) "standard rent" in relation to any premises means—

(*a*) where the standard rent is fixed by the Court and the Controller respectively under the Bombay Rent Restriction Act, 1939, or the Bombay Rents, Hotel Rates and Lodging House Rates (Control) Act, 1944, such standard rent; or Bom. XVI of 1939. Bom. VII of 1944.

(*b*) where the standard rent is not so fixed,—

subject to the provisions of section 11,

(*i*) the rent at which the premises were let on the first day of September 1940, or

(*ii*) where they were not let on the first day of September 1940, the rent at which they were last let before that day, or

(*iii*) where they were first let after the first day of September 1940, the rent at which they were first let, or

(*iv*) in any of the cases specified in section 11, the rent fixed by the Court;

(*11*) " tenant " means any person by whom or on whose account rent is payable for any premises and includes—

(*a*) such sub-tenants and other persons as have derived title under a tenant before the coming into operation of this Act,

(*b*) any person remaining, after the determination of the lease, in possession, with or without the assent of the landlord, of the premises leased to such person or his predecessor who has derived title before the coming into operation of this Act,

(*c*) any member of the tenant's family residing with him at the time of his death as may be decided in default of agreement by the Court.

PART II.

Residential and other premises.

Application.

6. (*1*) In areas specified in Schedule I, this Part shall apply to premises let for residence, education, business, trade [1][or] storage [2][* * *]:

[3][Provided that the Provincial Government may, by notification in the *Official Gazette*, direct that in any of the said areas, this Part shall cease to apply to premises let for any of the said purposes.]

[4][(*1A*) The Provincial Government may, by notification in the *Official Gazette*, direct that in any of the said areas this Part shall apply to premises let for any other purpose.]

(*2*) In areas to which this Part is extended under sub-section (*3*) of section 2, it shall apply to premises let for such of the purposes referred to [5][in sub-section (*1*) or notified under sub-section (*1A*)] or let for such standard rent as the Provincial Government may, by notification in the *Official Gazette*, specify.

Rent in excess of standard rent illegal.

7. Except where the rent is liable to periodical increment by virtue of an agreement entered into before the first day of September 1940, it shall not be lawful to claim or receive on account of rent for any premises any increase above the standard rent, unless the landlord was, before the coming into operation of this Act, entitled to recover such increase under the provisions of the Bombay Rent Restriction Act, 1939, or the Bombay Rents, Hotel Rates and Lodging House Rates (Control) Act, 1944, or is entitled to recover such increase under the provisions of this Act.

Bom. XVI of 1939.

Bom. VII of 1944.

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[1] The word " or " was inserted by Bom. 36 of 1948, s. 2 (*a*).

[2] The words " or any other purpose notified in the Official Gazette by the Provincial Government " were deleted, *ibid*, s. 2 (*a*) (*ii*).

[3] This proviso was added, *ibid*, s. 2 (*b*).

[4] This sub-section was inserted, *ibid*, s. 2 (*c*).

[5] These words were substituted for " in, or notified under sub-section (*1*) ", *ibid*., s. 2 (*d*).

Cases where rent to be deemed and not to be deemed to be increased.

8. (*1*) Where, as the result of any alteration of the terms of the tenancy, the terms on which any premises are held are on the whole less favourable to the tenant than the previous terms, the rent shall be deemed to be increased for the purposes of this Part whether the sum payable as rent is increased or not.

(*2*) Where, as the result of any alteration of the terms of the tenancy, the terms on which any premises are held are not on the whole less favourable to the tenant than the previous terms, the rent shall not be deemed to be increased for the purposes of this Part whether the sum payable as rent is increased or not.

Increase in rent on account of improvement, etc., excepted.

9. A landlord shall be entitled to make such increase in the rent of the premises, as may be reasonable, for any improvement or structural alteration of the premises which has been made with the consent of the tenant given in writing; and such increase shall not be deemed to be an increase for the purposes of section 7.

Explanation.—In this section improvements and alterations do not include the repairs which the landlord is bound to make under sub-section (*1*) of section 23.

Increase in rent on account of payment of rates, etc., excepted.

10. Where a landlord is required to pay to a local authority in respect of any premises any rate, cess or tax imposed or levied for the purposes of such authority, he shall be entitled to make an increase in the rent of the premises by an amount not exceeding the increase paid by him [1][by way of such rate, cess or tax over the amount paid] in the period of assessment which included the date of the coming into operation of this Act [2][or the date on which the premises were first let, whichever is later,] and such increase in rent shall not be deemed to be an increase for the purposes of section 7.

Increase in rent on account of payment of increased rates, etc. after 31st March 1949 not permitted in certain areas.

[3][**10A.** Notwithstanding anything contained in section 10,—

(*1*) if in the City of Bombay the general tax levied under section 143 of the City of Bombay Municipal Act, 1888, or in any other area specified in Schedule III to this Act a rate or tax on buildings, houses or lands or a rate or tax in the form of such rate or tax on buildings, houses or lands levied under the Bombay Municipal Boroughs Act, 1925, or the Bombay District Municipal Act, 1901, or the Cantonments Act, 1924, or the Bombay Village Panchayats Act, 1933, as the case may be, is increased after the 31st day of March 1949, a landlord shall not, in respect of any premises situated in the City of Bombay or in any of the areas specified in the said Schedule, as the case may be, and let on or before the said date, be entitled to make any further increase in the rent of the said premises on account of the payment by him of such increase in the rate or tax; Bom. III of 1888. Bom. XVIII of 1925. Bom. III of 1901. II of 1924. Bom. VI of 1933.

(*2*) a landlord shall not be entitled to make any increase in the rent of any premises situated in the City of Bombay or in any of the areas specified in the said Schedule and let after the 31st day of March 1949 on account of the payment by him of any increase in such rate or tax;

(*3*) the Provincial Government may, by notification published in the *Official Gazette*, direct that in any area other than the City of Bombay or those specified in Schedule III, a landlord shall not be entitled to make any increase in

[1] These words were substituted for the words "in such rate, cess or tax" by Bom. 36 of 1948, s. 3(*a*).

[2] These words were inserted, *ibid*, s. 3 (*b*).

[3] This section was inserted by Bom. 3 of 1949, s. 2.

rent in respect of any premises situate in such area on account of the payment by him of an increase in the rate or tax imposed or levied by any local authority for its own purpose on buildings, houses or lands, after such date, as may be specified in the notification.]

Court may fix standard rent and permitted increases in certain cases.

11. (*1*) In any of the following cases the Court may, upon an application made to it for that purpose, or in any suit or proceeding, fix the standard rent at such amount as, having regard, to the provisions of this Act and the circumstances of the case, the Court deems just—

(*a*) where any premises are first let after the first day of September 1940, and the rent at which they are so let is in the opinion of the Court excessive ; or

(*b*) where the Court is satisfied that there is no sufficient evidence to ascertain the rent at which the premises were let in any one of the cases mentioned in sub-clauses (*i*) to (*iii*) of clause (*b*) of sub-section (*10*) of section 5 ; or

(*c*) where by reason of the premises having been let at one time as a whole or in parts and at another time in parts or as a whole, or for any other reasons, any difficulty arises in giving effect to this Part ; or

(*d*) where any premises have been or are let rent-free or at a nominal rent or for some consideration in addition to rent ; or

(*e*) where there is any dispute between the landlord and the tenant regarding the amount of standard rent.

(*2*) If there is any dispute between the landlord and the tenant regarding the amount of permitted increases the Court may determine such amount.

(*3*) If an application for fixing the standard rent or for determining the permitted increases is made by a tenant who has received a notice from his landlord under sub-section (2) of section 12, the Court shall forthwith make an order specifying the amount of rent or permitted increases to be paid by the tenant pending the final decision of the application , and a copy of such order shall be served upon the landlord.

No ejectment ordinarily to be made if tenant pays or is ready and willing to pay standard rent and permitted increases.

12. (*1*) A landlord shall not be entitled to the recovery of possession of any premises so long as the tenant pays, or is ready and willing to pay, the amount of the standard rent and permitted increases, if any, and observes and performs the other conditions of the tenancy, in so far as they are consistent with the provisions of this Act.

(*2*) No suit for recovery of possession shall be instituted by a landlord against a tenant on the ground of non-payment of the standard rent or permitted increases due, until the expiration of one month next after notice in writing of the demand of the standard rent or permitted increases has been served upon the tenant in the manner provided in section 106 of the Transfer of Property Act, 1882.

IV of 1882.

(*3*) No decree for eviction shall be passed in any such suit if, at the hearing of the suit, the tenant pays or tenders in Court the standard rent or permitted increases then due together with the costs of the suit.

Explanation.—In any case where there is a dispute as to the amount of standard rent or permitted increases recoverable under this Act the tenant shall be deemed to be ready and willing to pay such amount if, before the expiry of the period of one month after notice referred to in sub-section (*2*), he makes an application to the Court under sub-section (*3*) of section 11 and thereafter pays or tenders the amount of rent or permitted increases specified in the order made by the Court.

When landlord may recover possession.

13. (*1*) Notwithstanding anything contained in this Act [1][but subject to the provisions of section 15], a landlord shall be entitled to recover possession of any premises if the Court is satisfied—

(*a*) that the tenant has committed any act contrary to the provisions of clause (*o*) of section 108 of the Transfer of Property Act, 1882; or IV of 1882.

(*b*) that the tenant has, without the landlord's consent given in writing, erected on the premises any permanent structure; or

(*c*) that the tenant or any person residing with the tenant has been guilty of conduct which is a nuisance or annoyance to the adjoining or neighbouring occupiers, or has been convicted of using the premises or allowing the premises to be used for immoral or illegal purposes; or

(*d*) that the tenant has given notice to quit and in consequence of that notice the landlord has contracted to sell or let the premises or has taken any other steps, as a result of which he would, in the opinion of the Court, be seriously prejudiced if he could not obtain possession of the premises; or

(*e*) that the tenant has, since the coming into operation of this Act, sub-let the whole or part of the premises or assigned or transferred in any other manner his interest therein; or

(*f*) that the premises were let to the tenant for use as a residence by reason of his being in the service or employment of the landlord, and that the tenant has ceased, whether before or after the coming into operation of this Act, to be in such service or employment; or

(*g*) that the premises are reasonably and *bona fide* required by the landlord for occupation by himself or by any person for whose benefit the premises are held; or

(*h*) that the premises are reasonably and *bona fide* required by the landlord for carrying out repairs which cannot be carried out without the premises being vacated; or

(*i*) that where the premises are land, such land is reasonably and *bona fide* required by the landlord for the erection of a new residential building; or

(*j*) that the rent charged by the tenant for the premises or any part thereof which are sub-let before the coming into operation of this Act is in excess of the standard rent and permitted increases in respect of such premises or part or that the tenant has received any fine, premium, other like sum or consideration in respect of such premises or part; or

(*k*) that the premises have not been used without reasonable cause for the purpose for which they were let for a continuous period of six months immediately preceding the date of the suit; or

(*l*) that the tenant after the coming into operation of this Act has built, acquired vacant possession of or been allotted a suitable residence.

(*2*) No decree for eviction shall be passed on the ground specified in clause (*g*) of sub-section (*1*) if the Court is satisfied that, having regard to all the circumstances of the case including the question whether other reasonable accommodation is available for the landlord or the tenant, greater hardship would be caused by passing the decree than by refusing to pass it.

Where the Court is satisfied that no hardship would be caused either to the tenant or to the landlord by passing the decree in respect of a part of the premises, the Court shall pass the decree in respect of such part only.

[1] These words and figures were inserted by Bom. 3 of 1949, s. 3.

Explanation.—For the purposes of clause (*g*) of sub-section (*1*)—

(*a*) a person shall not be deemed to be a landlord unless he has acquired his interest in the premises at a date prior to the beginning of the tenancy, or the first day of January 1947, whichever is later or, if the interest has devolved on him by inheritance or succession, his predecessor-in-title had acquired the interest at a date prior to the beginning of the tenancy, or the first day of January 1947, whichever is later;

(*b*) the expression "landlord" shall not include a rent-farmer or rent-collector or estate-manager.

(*3*) The Court may pass the decree on the ground specified in clause (*h*) or (*i*) of sub-section (*1*) only in respect of a part of the premises which in its opinion it is necessary to vacate for carrying out the work of repairs or erection.

(*4*) For the purposes of clause (*j*) of sub-section (*1*) the standard rent or permitted increases in respect of the part sub-let shall be the amounts bearing such proportion to the standard rent or permitted increases in respect of the premises as may be reasonable having regard to the extent of the part sub-let and other relevant considerations.

Sub-tenant to become tenant on determination of tenancy.

14. Where the interest of a tenant of any premises is determined for any reason, any sub-tenant to whom the premises or any part thereof have been lawfully sub-let before the coming into operation of this Act shall, subject to the povisions of this Act, be deemed to become the tenant of the landlord on the same terms and conditions as he would have held from the tenant if the tenancy had continued.

Tenant not to sub-let or transfer after this Act.

15. Notwithstanding anything contained in any law, it shall not be lawful after the coming into operation of this Act for any tenant to sub-let the whole or any part of the premises let to him or to assign or transfer in any other manner his interest therein:

[1][Provided that the Provincial Government may, by notification in the *Official Gazette*, permit in any area the transfer of interest in premises held under such leases or class of leases and to such extent as may be specified in the notification.]

Recovery of possession for repairs; and re-entry.

16. (*1*) The Court shall when passing a decree on the ground specified in clause (*h*) of sub-section (*1*) of section 13 ascertain from the tenant whether he elects to be placed in occupation of the premises or part thereof from which he is to be evicted and, if the tenant so elects, shall record the fact of the election in the decree and specify in the decree the date on or before which he shall deliver possession so as to enable the landlord to commence the work of repairs.

(*2*) If the tenant delivers possession on or before the date specified in the decree the landlord shall, on the completion of the work of repairs, place the tenant in occupation of the premises or part thereof on the original terms and conditions.

(*3*) If, after the tenant has delivered possession on or before the date specified in the decree, the landlord fails to commence the work of repairs within one month of the specified date or fails to complete the work within a reasonable time or having completed the work fails to place the tenant in occupation of the premises in accordance with sub-section (*2*), the Court may, on the application of the tenant made within one year of the specified date, order the landlord to place him in occupation of the premises or part thereof on the original terms and conditions; and on such order being made the landlord and any person who may be in occupation shall give vacant possession to the tenant of the premises or part thereof.

[1] This proviso was substituted for the original by Bom. 36 of 1948, s. 4

(*4*) Any landlord who, when the tenant has vacated by the date specified in the decree, without reasonable excuse fails to commence the work of repairs and any landlord or other person in occupation of the premises who fails to comply with the order made by the Court under sub-section (*3*), shall, on conviction, be punishable with imprisonment for a term which may extend to three months or with fine or with both.

Recovery of possession for occupation, etc., and re-entry.

17. (*1*) Where a decree for eviction has been passed by the Court on the ground specified in clause (*g*) or (*i*) of sub-section (*1*) of section 13 and the premises are not occupied or the work of erection is not commenced within a period of one month from the date the landlord recovers possession or the premises are re-let within one year of the said date to any person other than the original tenant, the Court may, on the application of the original tenant made within thirteen months of such date order the landlord to place him in occupation of the premises on the original terms and conditions, and, on such order being made, the landlord and any person who may be in occupation of the premises shall give vacant possession to the original tenant.

(*2*) Any landlord who recovers possession on the ground specified in clause (*g*) or (*i*) of sub-section (*1*) of section 13 and keeps the premises unoccupied or does not commence the work of erection without reasonable excuse within the period of one month from the date he recovered possession and any landlord or other person in occupation of the premises who fails to comply with the order of the Court under sub-section (*1*) shall, on conviction, be punishable with imprisonment for a term which may extend to three months or with fine or with both.

Unlawful charges by landlord.

18. (*1*) If any landlord either himself or through any person acting or purporting to act on his behalf or if any person acting or purporting to act on behalf of the landlord receives any fine, premium or other like sum or deposit or any consideration, other than the standard rent or the permitted increases, in respect of the grant, renewal or continuance of a lease of any premises, or for giving his consent to the transfer of a lease by sub-lease or otherwise, such landlord or person shall, on conviction, be punished with imprisonment for a term which may extend to six months and shall also be punished with fine which shall not be less than the amount of the fine, premium or sum or deposit or the value of the consideration received by him, and further where the offence is committed by a landlord in respect of premises which were of his ownership on the date of the offence such premises shall be liable to confiscation.

(*2*) Where any fine, premium or other like sum or deposit or any consideration referred to in sub-section (*1*) is paid by any person, the amount or value thereof shall be recoverable by him from the landlord to whom it was paid or on whose behalf it was received or from his legal representative at any time within a period of six months from the date of payment and may, if such person is a tenant, without prejudice to any other remedy for recovery, be deducted by him from any rent payable by him to such landlord.

(*3*) Nothing in this section shall apply to any payment made under any agreement entered into before the first day of September 1940.

Explanation.—For the purposes of sub-section (*1*)—

(*a*) receipt of rent in advance for more than three months in respect of premises let for the purpose of residence, or

(*b*) where any furniture or other article is sold by the landlord to the tenant either before or after the creation of tenancy of any premises, the excess of the price received over the reasonable price of the furniture or article,

shall be deemed to be a fine or premium or consideration.

Unlawful charges by tenant.

19. (*1*) It shall not be lawful for the tenant or any person acting or purporting to act on behalf of the tenant to claim or receive any sum or any consideration as a condition of the relinquishment of his tenancy of any premises.

(*2*) Any tenant or person who in contravention of the provisions of sub-section (*1*) receives any sum or consideration shall, on conviction, be punished with imprisonment for a term which may extend to six months and shall also be punished with fine which shall not be less than the sum or the value of the consideration received by him.

Recovery of amounts paid not in accordance with Act.

20. Any amount paid on account of rent after the date of the coming into operation of this Act shall, except in so far as payment thereof is in accordance with the provisions of this Act, be recoverable by the tenant from the landlord to whom it was paid or on whose behalf it was received or from his legal representative at any time within a period of six months from the date of payment and may, without prejudice to any other remedy for recovery, be deducted by such tenant from any rent payable by him to such landlord.

Landlord to furnish particulars of rent, etc., to tenant.

21. (*1*) Every landlord shall, upon a notice served upon him by the tenant by post or in any other manner, furnish to such tenant within one month of the receipt of such notice a statement giving full particulars of the amount of standard rent of the premises or part thereof let to such tenant and of the permitted increases.

(*2*) Any landlord who fails to furnish such statement or any landlord or his agent who intentionally furnishes a statement which is false in any material particular shall be punishable with fine which may extend to one thousand rupees.

Particulars to be furnished by tenant of tenancy sub-let or transferred before this Act.

22. (*1*) Every tenant who, before the date of the coming into operation of this Act, has, without the consent of the landlord given in writing, sub-let the whole or any part of the premises let to him or assigned or transferred in any other manner his interest therein, and every sub-tenant to whom the premises are so sub-let or the assignment or transfer is so made shall furnish to the landlord, within a month of the receipt of a notice served upon him by the landlord by post or in any other manner a statement in writing signed by him giving full particulars of such sub-letting, assignment or transfer including the rent charged or paid by him.

(*2*) Any tenant or sub-tenant who fails to furnish such statement or intentionally furnishes a statement which is false in any material particular shall be punishable with fine which may extend to one thousand rupees.

Landlord's duty to keep premises in good repair.

23. (*1*) Notwithstanding anything contained in any law for the time being in force and in the absnece of an agreement to the contrary by the tenant, every landlord shall be bound to keep the premises in good and tenantable repair.

(*2*) If the landlord neglects to make within a reasonable time, after a notice is served upon him by post or in any other manner any repairs which he is bound to make under sub-section (*1*), the tenant may make the same himself and deduct the expenses of such repairs from the rent or otherwise recover them from the landlord :

Provided that the amount so deducted or recoverable in any year shall not exceed one-twelfth of the rent payable by the tenant for that year.

Landlord not to cut off or withhold essential supply or service.

24. (*1*) No landlord either himself or through any person acting or purporting to act on his behalf shall without just or sufficient cause cut off or withhold any essential supply or service enjoyed by the tenant in respect of the premises let to him.

(*2*) A tenant in occupation of the premises may, if the landlord has contravened the provisions of sub-section (*1*), make an application to the Court for a direction to restore such supply or service.

(*3*) If the Court on inquiry finds that the tenant has been in enjoyment of the essential supply or service and that it was cut off or withheld by the landlord without just or sufficient cause, the Court shall make an order directing the landlord to restore such supply or service before a date to be specified in the order. Any landlord who fails to restore the supply or service before the date so specified shall for each day during which the default continues thereafter be liable to fine which may extend to one hundred rupees.

(*4*) Any landlord who contravenes the provisions of sub-section (*1*) shall, on conviction, be punishable with imprisonment for a term which may extend to three months or with fine or with both.

Explanation.—In this section essential supply or service includes supply of water, electricity, lights in passages and on stair-cases, lifts and conservancy or sanitary service.

Conversion of residential into non-residential premises prohibited.

25. (*1*) A landlord shall not use or permit to be used for a non-residential purpose any premises which on the date of the coming into operation of this Act were used for a residential purpose.

(*2*) Any landlord who contravenes the provisions of sub-section (*1*) shall, on conviction, be punishable with imprisonment for a term which may extend to three months or with fine or with both.

Giving receipt for rent compulsory.

26. (*1*) Every landlord shall give a written receipt for any amount received by him in respect of any premises in such form and in such maner as may be prescribed.

(*2*) Any landlord or person who fails to give a written receipt for any amount received by him in respect of any premises shall, on conviction, be punishable with fine which may extend to one hundred rupees.

Recovery of rent according to British calendar.

27. (*1*) Notwithstanding anything contained in any law for the time being in force or any contract, custom or local usage to the contrary, rent payable by the month or year or portion of a year shall be recovered according to the British calendar.

(*2*) The Provincial Government may prescribe the manner in which rent recoverable according to any other calendar before the coming into operation of this Act shall be calculated and charged in terms of the British Calendar.

Jurisdiction of courts.

28. Notwithstanding anything contained in any law and notwithstanding that, by reason of the amount of the claim or for any other reason, the suit or proceeding would not, but for this provision, be within its jurisdiction,

(*a*) in Greater Bombay, the Court of Small Causes, Bombay, and

(*b*) elsewhere, the Court of the Civil Judge (Junior Division) having jurisdiction in the area in which the premises are situate or, if there is no such Civil Judge, the Court of the Civil Judge (Senior Division) having ordinary jurisdiction,

shall have jurisdiction to entertain and try any suit or proceeding between a landlord and a tenant relating to the recovery of rent or possession of any

premises to which any of the provisions of this Part apply and to decide any application made under this Act and to deal with any claim or question arising out of this Act or any of its provisions; and no other court shall have jurisdiction to entertain any such suit, proceeding or application or to deal with such claim or question.

Explanation.—In this section "proceeding" does not include an execution proceeding arising out of a decree passed before the coming into operation of this Act.

Appeal.

29. (*1*) Notwithstanding anything contained in any law, an appeal shall lie—

(*a*) in Greater Bombay, from a decree or order made by the Court of Small Causes, Bombay, exercising jurisdiction under section 28, to a bench of two judges of the said Court which shall not include the judge who made such decree or order;

(*b*) elsewhere, from a decree or order made by a Civil Judge exercising such jurisdiction, to the District Court.

[1][(*1A*) Every appeal under sub-section (*1*) shall be made within thirty days from the date of the decree or order, as the case may be:

Provided that in computing the period of limitation prescribed by this sub-section the provisions contained in sections 4, 5 and 12 of the Indian Limitation Act, 1908, shall, so far as may be, apply.]

IX of 1908.

(*2*) No further appeal shall lie against any decision in appeal under sub-section (*1*).

Saving of suits involving title.

[2][**29A.** Nothing contained in section 28 or 29 shall be deemed to bar a party to a suit, proceeding or appeal mentioned therein in which a question of title to premises arises and is determined, from suing in a competent court to establish his title to such premises.]

Compensation in respect of proceedings which are not *bona fide* or are false, frivolous or vexatious.

30. If the court finds that any suit, proceeding or application instituted or made before it is not instituted or made *bona fide* or is false, frivolous or vexatious, the court may, after hearing the plaintiff or applicant and for reasons to be recorded, order that compensation, not exceeding one thousand rupees, be paid by such plaintiff or applicant to the defendant or opponent, as the case may be.

Procedure of courts.

31. The courts specified in sections 28 and 29 shall follow the prescribed procedure in trying and hearing suits, proceedings, applications and appeals and in executing orders made by them.

PART III.

Hotels and Lodging Houses.

Appointment of Controller.

32. The Provincial Government may by notification in the *Official Gazette* appoint any person to be a Controller for any area for the purposes of this Part.

[1] This sub-section was inserted by Bom. 36 of 1948, s. 5. This amendment shall not apply to appeals from decrees or orders made before the coming into operation of the said Act, *vide* s. 8.

[2] This section was inserted, *ibid*, s. 6.

Fixation of fair rates, [3][percentage of accommodation] and number of lodgers.

33. (*1*) The Controller may fix a fair rate to be charged for board, lodging or other service provided in a hotel or lodging house at such amount as having regard to the circumstances of the case, he deems just. [1][The Controller may also fix the percentage of accommodation for daily and monthly lodgers, respectively, in a hotel or lodging house.]

(*2*) The Controller may fix a fair rate separately for—

(*i*) lodging with reference to the nature of the accommodation and the number of lodgers to be accommodated;

(*ii*) board, partial or full;

(*iii*) other service.

(*3*) The Controller may fix fair rates separately for daily and monthly lodgers.

(*4*) The Controller shall also fix the number of lodgers to be accommodated in each room or specified accommodation in the hotel or lodging house.

[3][*Explanation.*—For the purposes of this Part, a lodger who agrees to reserve accommodation in a hotel or lodging house for a period of less than a month shall be deemed to be a daily lodger.]

Revision of fair rates [4][,percentage of accommodation] and number of lodgers.

34. The Controller may, from time to time, revise the fair rates [4][,the percentage of accommodation] or the number of lodgers fixed under section 33.

Continuance of fair rates before coming into operation of this Part.

35. Fair rates fixed under the Bombay Hotels and Lodging Houses Control Order, 1942, or the Bombay Rents, Hotel Rates and Lodging House Rates (Control), Act, 1944, and which were in force immediately before the coming into operation of this Part shall be deemed to have been fixed under this Part, and the provisions of this Part shall apply in respect of such rates. Bom. VII of 1944.

Notice of fair rate [5][,percentage of accommodation] and number of lodgers to be displayed.

36. Where under section 33 or section 34 the Controller has fixed or revised the fair rate [5][,the percentage of accommodation] or the number of lodgers he shall direct the manager of the hotel or the owner of the lodging house, as the case may be, to display a notice of the fair rate, [5][percentage of accommodation], the number of lodgers and all the provisions of this Act relating thereto in a conspicuous manner in the hotel or lodging house and also in the room or accommodation in respect of which the fair rate and the number of lodgers are fixed or revised.

Charges not recoverable in excess of fair rate.

37. (*1*) Notwithstanding any agreement to the contrary, no manager of a hotel or owner of a lodging house shall charge any amount in excess of the fair rate.

(*2*) When the Controller has fixed the fair rate any agreement for the payment of any charges in excess of such fair rate shall be void in respect of such excess and shall be construed as if it were an agreement for payment of the said fair rate.

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[1] This portion was added by Bom. 3 of 1949, s. 4 (*1*).
[2] This Explanation was inserted, *ibid*, s. 4 (*2*).
[3] These words were inserted, *ibid*, s. 4 (*3*).
[4] These words were inserted, *ibid*, s. 5.
[5] These words were inserted, *ibid*, s. 6.

(*3*) Any sum paid by a lodger in excess of the fair rate shall be recoverable by him at any time within a period of six months from the date of payment from the manager of the hotel or the owner of the lodging house or his legal representative, and may, without prejudice to any other remedy for recovery, be deducted by such lodger from any amount payable by him to such manager or owner.

No ejectment ordinarily to be made if fair rate paid.

38. No manager of a hotel or owner of a lodging house shall evict or refuse board or other service to a lodger so long as he pays, or is ready and willing to pay, the fair rate and observes and performs the other conditions of his agreement in so far as they are consistent with the provisions of this Act:

[1][Provided that where under section 33 or section 34 the Controller has fixed or revised the percentage of accommodation for daily and monthly lodgers respectively, the manager of a hotel or owner of a lodging house may refuse accommodation to any daily or monthly lodger, as the case may be, if the accommodation in respect of such class of lodgers is fully occupied.]

When manager of a hotel or owner of lodging house may recover possession.

39. Notwithstanding anything contained in this Act, a manager of a hotel or owner of a lodging house shall be entitled to recover possession of the accommodation provided by him on obtaining a certificate from the Controller certifying that—

(*a*) the lodger has been guilty of conduct which is a nuisance or an annoyance to any adjoining or neighbouring lodger; [2]*

(*b*) the accommodation is reasonably and *bona fide* required by the owner of the hotel or lodging house, as the case may be, either for his own occupation or for the occupation of any person for whose benefit the accommodation is held, or for any other cause which may be deemed satisfactory by the Controller [3][or]

[4][(*c*) the lodger has failed to vacate the accommodation on the termination of the period of the agreement in respect thereof:

Provided that before issuing a certificate under this clause the Controller take into consideration the vacancies, if any, in the accommodation for daily and monthly lodgers the percentage of which has been fixed or revised under section 33 or section 34 and the circumstances under which the lodger did not vacate on the termination of the period of the agreement.]

Penalties.

40. (*1*) If any manager of a hotel or owner of a lodging house either himself or through any person acting or purporting to act on his behalf or if any person acting or purporting to act on behalf of a manager of a hotel or owner of a lodging house receives any fine, premium or other like sum or deposit or any consideration other than the fair rate, in respect of the grant or continuance of accommodation in the hotel or lodging house, such manager, owner or person shall, on conviction, be punished with imprisonment for a term which may extend to six months and shall also be punished with fine which shall not be less than the amount of the fine, premium or sum or deposit or the value of the consideration received by him.

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[1] This proviso was added by Bom. 3 of 1949, s. 7.
[2] The word "or" was deleted, *ibid*, s. 8.
[3] This word was added, *ibid*.
[4] This clause was added, *ibid*.

(*2*) Any manager of a hotel or owner of a lodging house who charges any amount in excess of the fair rate in contravention of section 37 shall, on conviction, be punishable with imprisonment which may extend to three months, or with fine, or with both.

(*3*) Any manager of a hotel or owner of a lodging house who accommodates lodgers or permits lodgers to be accommodated in a room or specified accommodation in excess of the number fixed by the Controller shall, on conviction, be punishable with fine which may extend to one thousand rupees.

(*4*) Any manager of a hotel or owner of a lodging house who fails to display a notice in contravention of the Controller's direction under section 36 shall, on conviction, be punishable with fine which may extend to five hundred rupees.

[1][*Explanation.*—For the purposes of sub-section (*1*), receipt of charges in advance for more than one month shall be deemed to be a fine or premium or consideration.]

Provisions relating to inquiries by Controller.

41. (*1*) No order under this Act shall be made by the Controller except after holding an inquiry.

(*2*) Every such inquiry shall be made summarily in the prescribed manner.

(*3*) For the purposes of holding an inquiry under sub-section (*1*) the Controller shall have the same powers as are vested in Civil Courts in respect of—

(*a*) proof of facts by affidavits,

(*b*) summoning and enforcing the attendance of any person and examining him on oath,

(*c*) compelling the production of documents, and

(*d*) issuing commissions for the examination of witnesses.

(*4*) The Controller may himself enter or authorize any person subordinate to him to enter upon any premises, hotel or lodging house or any part thereof to which the inquiry relates.

Appeal.

42. An appeal shall lie to the Provincial Government from an order passed by the Controller under the provisions of this Part (including an order granting or refusing a certificate under section 39) within fifteen days from the date of communication of the order and the Provincial Government may pass such order as it deems fit.

Procedure of Courts in suits.

43. [2][(*1*)] The provisions contained in sections 28, 29, 30 and 31 shall, [3][subject to the provisions of sub-section (*2*),] apply to suits by a manager of a hotel or an owner of a lodging house against a lodger for recovery of charges for, or possession of, the accommodation provided in the hotel or lodging house.

[4][(*2*) Pending the final decision of the suit for recovery of charges for the accommodation provided in a hotel or lodging house, the manager of the hotel or the owner of the lodging house may make an application to the court requiring the lodger to deposit in Court the amount of such charges. On such application, the Court shall forthwith make an order directing the lodger to deposit in Court such amount of charges within such period as it thinks fit and shall serve a copy of such order upon the manager of the hotel or the owner of the lodging house. If the lodger fails to deposit such amount within the period specified in the order the Court may at any time thereafter pass an order for the eviction of the lodger.]

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[1] This Explanation was added by Bom. 36 of 1948, s. 7.

[2] This section was renumbered as 43 (*1*) by Bom. 3 of 1949, s. 9 (*1*).

[3] This portion was inserted, *ibid.*

[4] This sub-section was inserted, *ibid*, s. 9 (*2*).

XLV of 1860.

44. A Controller appointed under this Act shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code. Controller to be deemed public servant.

45. All proceedings before a Controller shall be deemed to be judicial proceedings for the purposes of sections 193 and 228 of the Indian Penal Code. All proceedings before a Controller to be judicial proceedings.

XLV of 1860.

46. No suit, prosecution or other legal proceeding shall lie against a Controller in respect of anything in good faith done or intended to be done under this Act. Protection of action taken under this Act.

PART IV.

Miscellaneous.

47. (*1*) Offences under sections 16, 17, 18, 19, sub-section (*4*) of section 24, section 25 and sub-sections (*1*) and (*2*) of section 40 shall be cognizable and shall not be triable by any Court inferior to that of a Presidency Magistrate or a Magistrate of the First Class. Certain offences to be cognizable.

(*2*) Notwithst ding anything contained in section 32 of the Code of Criminal Procedure, 18 , it shall be lawful for a magistrate trying offences under this Act to pass sente es of fine or to award any punishment under this Act in excess of his powers.

V of 1898.

48. Where a person committing an offence under this Act is a company, or other body corporate, or an association of persons (whether incorporated or not), or a firm, every director, manager, secretary, agent or other officer or person concerned with the management thereof, and every partner of the firm shall, unless he proves that the offence was committed without his knowledge or consent, be deemed to be guilty of such offence. Offence by companies, etc.

49. (*1*) The Provincial Government may, by notification in the *Official Gazette* and subject to the condition of previous publication, make rules for the purpose of giving effect to the provisions of this Act. Rules.

(*2*) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for—

(*i*) the form and the manner in which a receipt is to be given under sub-section (*1*) of section 26 ;

(*ii*) the manner in which rent recoverable according to any calendar other than the British calendar before the coming into operation of this Act shall be calculated and charged in terms of the British calendar under sub-section (*2*) of section 27 ;

(*iii*) the procedure to be followed in trying or hearing suits, proceedings (including proceedings for execution of decrees and distress warrants), applications, appeals and execution of orders ;

(*iv*) the manner in which inquiries shall be made summarily under sub-section (*2*) of section 41 ;

(*v*) levy of court fees in suits, proceedings and applications instituted before a Court or Controller.

Repeal.

*50. The Bombay Rent Restriction Act, 1939, and the Bombay Rents, Hotel Rates and Lodging House Rates (Control) Act, 1944, are hereby repealed : Bom. XVI of 1939. Bom. VII of 1944.

Provided that all suits and proceedings [1]* * * between a landord and a tenant relating to the recovery or fixing of rent or possession of any premises to which the provisions of Part II apply and all suits and proceedings by a manager of a hotel or an owner of a lodging house against a lodger for the recovery of charges for, or possession of, the accommodation provided in a hotel or lodging house situate in an area to which Part III applies, which are pending in any Court, shall be transferred to and continued before the Courts which would have jurisdiction to try such suits or proceedings under this Act [2][or shall be continued in such Courts, as the case may be,] ; and [3]* all the provisions of this Act and the rules made thereunder shall apply to all such suits and proceedings.

[4][Nothing in this proviso shall apply to execution proceedings and appeals arising out of decrees or orders passed before the coming into operation of this Act and such execution proceedings and appeals shall be decided and disposed of as if this Act had not been passed :]

Provided further that—

(*a*) every order passed or act done by the Controllers under Part IV of the Bombay Rents, Hotel Rates and Lodging House Rates (Control) Act, 1944, and every order or act deemed to have been passed or done under that Part shall be deemed to have been passed or done under this Act ; and Bom. VII 1944.

(*b*) all proceedings pending before the Controllers under Part IV of that Act shall be transferred to and continued before the Controllers appointed under this Act as if they were proceedings instituted before the Controllers under this Act.

Removal of doubt as regards proceedings under Chapter VII of the Presidency Small Cause Courts Act, 1882.

[5][51. For the removal of doubt, it is hereby declared that, unless there is anything repugnant in the subject or context, references to suits or proceedings in this Act shall include references to proceedings under Chapter VII of the Presidency Small Cause Courts Act, 1882, and references to decrees in this Act shall include references to final orders in such proceedings.] XV of 1882.

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* Section 13 of Bom 3 of 1949 reads as under :—

13. *Sections 10 and 11 to have retrospective effect.*—The amendments made by sections 10 and 11 of this Act shall be deemed to have been made and come into force on the date on which the said Act came into force and shall always be deemed to have been made and in force from such date :

Provided that the validity of any decree or order passed in any suit or proceeding referred to in section 50 of the said Act between the 13th day of February 1948 and the 3rd day of February 1949 shall not be questioned only on the ground that such suit or proceeding should have been decided and disposed of in accordance with the provisions of the said Act and not in accordance with the provisions of any of the enactments repealed by the said Act or *vice versa* and any execution proceedings or appeals arising out of such decree or order shall be decided and disposed of in accordance with the provisions of the said Act or the enactments repealed in accordance with which as the case may be, such decree or order was passed.

[1] The words "(other than execution proceedings and appeals)" were deleted by Bom. 3 of 1949, s. 10.

[2] These words were inserted, *ibid.*

[3] The word "thereupon" was deleted, *ibid.*

[4] This portion was inserted, *ibid.*

[5] This section was added, *ibid*, s. 11.

SCHEDULE I.

(*See* section 2 (2).)

(*i*) The City of Bombay.

(*ii*) The Bombay Suburban District.

(*iii*) The Thana District.

(*iv*) The Nasik District.

(*v*) (*a*) *Ahmedabad District*—
(1) Ahmedabad Municipal Borough.
(2) Ahmedabad Cantonment.
(3) Kochrab Village.
(4) Paldi Village.
(5) Madalpur Village.
(6) Changispur Village.
(7) Shekhpur-Khanpur Village.
(8) Vasna-Maktampur Village.
(9) Vadaj Village.
(10) Usmanpur Village.
(11) Ranip Village.
(12) Survey Nos. 149, 150 and 151 of Memnagar Village.
(13) Baherampur Village.
(14) Ranip-Hirpur Village.
(15) Dani Limda Village.
(16) Gomtipur Village.
(17) Khokra-Mahmedabad Village.
(18) Amraivali Village.
(19) Rakhial Village.
(20) Saraspur Village.
(21) Asarva Village.
(22) Revenue Survey Nos. 1077 to 1140 of Naroda Village.
(23) Sahijpur Bogha Village.
(24) Dariapur-Kajipur Village.
(25) Hansol Village.
(26) Acher Village.

(*b*) *Kaira District*—
(1) Anand Municipal District.
(2) Borsad Municipal District.
(3) Mehmedabad Municipal District.
(4) Kapadwanj Municipal District.
(5) Umreth Municipal District.
(6) Dakore Municipal District.
(7) Kaira Municipal District.
(8) Nadiad Municipal Borough.
(9) Matar Village.
(10) Thasra Village.

(*c*) *Broach District*—
(1) Broach Municipal Borough.
(2) Ankleshwar Municipal District.
(3) Jambusar Municipal District.

(*d*) *Panch Mahals District*—
(1) Dohad Municipal District.
(2) Godhra Municipal Borough.
(3) Jhalod Village.
(4) Halol Village.
(5) Kalol Village.
(6) Derol Village.
(7) Vejalpore Village.

(*e*) *Surat District*—
(1) Surat Municipal Borough.
(2) Bulsar Municipal District.
(3) Rander Municipal District.
(4) Jalalpore Village.
(5) Mandvi Village.
(6) Pardi Village.

(*f*) *Ahmednagar District*—
(1) Ahmednagar Municipal Borough.
(2) Ahmednagar Cantonment.
(3) Sangamner Municipal District.
(4) Kopargaon Municipal District.
(5) Shrirampur Municipal District.
(6) Akola Village.
(7) Rahuri Budruk Village.
(8) Newasa Budruk Village.
(9) Shevgaon Village.
(10) Shrigonda Village.
(11) Pathardi Village.
(12) Karjat Village.
(13) Jamkhed Village.
(14) Parner Village.
(15) Belapur Budruk Village.
(16) Newasa Khurd Village.
(17) The revenue village of Rahuri Khurd.
(18) The revenue village of Belapur Khurd.

SCHEDULE I—*contd.*

(*g*) *East Khandesh District*—

(1) Jalgaon Municipal Borough.
(2) Bhusaval Municipal Borough.
(3) Amalner Municipal Borough.
(4) Chalisgaon Municipal Borough.
(5) Pachora Municipal District.
(6) Chopda Municipal District.
(7) Yawal Municipal District.
(8) Raver Municipal District.
(9) Savda Municipal District.
(10) Faizpur Municipal District.

(*h*) *West Khandesh District*—

(1) Nandurbar Municipal District
(2) Dhulia Municipal Borough.

(*i*) *Poona District*—

(1) Lonavla Municipal Borough.
(2) Poona City Municipal Borough.
(3) Poona Suburban Municipal Borough.
(4) Poona Cantonment.
(5) Aundh Road area which is under the jurisdiction of the Bapodi Gram Panchayat near Kirkee.
(6) The Village of Dapodi, Haveli Taluka.
(7) Baramati Municipal District.

(*j*) *Satara District*—

(1) Satara City Municipal Borough.
(2) Satara Suburban Municipal District.
(3) Karad Municipal Borough.
(4) Wai Municipal District.
(5) Panchgani Municipal District.
(6) Mahableshwar Municipal District.
(7) Tasgaon Municipal District.

(*k*) *Sholapur District*—

(1) Sholapur Municipal Borough.
(2) Barsi Municipal Borough.
(3) Pandharpur Municipal Borough.
(4) Karmala Municipal District.

(*k*) *Sholapur District*—contd.

(5) Sangola Municipal District.
(6) Madha Village.
(7) Mahol Village.
(8) Malsiras Village.
(9) Kurduwadi Village.
(10) Tembhurni Village.
(11) Akluj Village.
(12) Vairag Village.

(*l*) *Belgaum District*—

(1) Belgaum Municipal Borough.
(2) Belgaum Cantonment.
(3) Nipani Municipal Borough.
(4) Athni Municipal District.
(5) Gokak Municipal District.
(6) Saundatti-Yellama Municipal District.
(7) Bailhongal Municipal District.

(*m*) *Bijapur District*—

(1) Bijapur Municipal Borough.
(2) Bagalkot Municipal District.

(*n*) *Dharwar District*—

(1) Dharwar Municipal Borough.
(2) Hubli Municipal Borough.
(3) Gadag-Betgeri Municipal Borough.
(4) Haveri Municipal District.
(5) Ranebennur Municipal District.
(6) Navalgund Municipal District.
(7) Nargund Municipal District.
(8) Byadgi Municipal District.
(9) Gudguddapur Municipal District.
(10) Kalaghatgi-Bendigiri Village.
(11) Karajgi-Chikmagdur Village.
(12) Hangal Village.
(13) Ron Village.
(14) Mundargi Village.
(15) The Revenue Village of Bankapur.
(16) The Revenue Village of Kod.
(17) Gajendragad Village.
(18) Annigeri Village.
(19) Hirekerur Village.
(20) Shiggaon Village.

SCHEDULE I—*contd.*

(*o*) *Kanara District*—

(1) Karwar Municipal District.
(2) Kumta Municipal District.
(3) Gokarn Municipal District.
(4) Bhatkal Municipal District.
(5) Sirsi Municipal District.
(6) Ankola Panchayat Group.
(7) Siddapur Panchayat Group.

(*p*) *Kolaba District*—

(1) Alibag Municipal District.
(2) Mahad Municipal District.
(3) Panvel Municipal District.

(*p*) *Kolaba District*—contd.

(4) Pen Municipal District.
(5) Roha-Ashtami Municipal District.
(6) Uran Municipal District.
(7) Karjat Village.

(*q*) *Ratnagiri District*—

(1) Ratnagiri Municipal Borough.
(2) Chiplun Municipal District.
(3) Malwan Municipal District.
(4) Vengurla Municipal District.

SCHEDULE II.

(*See* section 2 (2).)

(*i*) The City of Bombay.

(*ii*) *Ahmednagar District*—

(1) Ahmednagar Municipal Borough.
(2) Ahmednagar Cantonment.
(3) Sangamner Municipal District.
(4) Kopargaon Municipal District.
(5) Shrirampur Municipal District.
(6) Akola Village.
(7) Rahuri Budruk Village.
(8) Newasa Village.
(9) Shevgaon Village.
(10) Shrigonda Village.
(11) Pathardi Village.
(12) Karjat Village.
(13) Jamkhed Village.
(14) Parner Village.
(15) Belapur Budruk Village.
(16) Newasa Khurd Village.
(17) The revenue village of Rahuri Khurd.
(18) The revenue village of Belapur Khurd.

(*iii*) *East Khandesh District*—

(1) Jalgaon Municipal Borough.
(2) Bhusaval Municipal Borough.
(3) Amalner Municipal Borough.

(*iii*) *East Khandesh District*—contd.

(4) Chalisgaon Municipal Borough.
(5) Pachora Municipal District.
(6) Chopda Municipal District.
(7) Yawal Municipal District.
(8) Raver Municipal District.
(9) Savda Municipal District.
(10) Faizpur Municipal District.

(*iv*) *West Khandesh District*—

(1) Dhulia Municipal Borough.
(2) Nandurbar Municipal District.

(*v*) *Poona District*—

(1) Poona City Municipal Borough.
(2) Poona Suburban Municipal Borough.
(3) Poona Cantonment.
(4) Kirkee Cantonment.
(5) Lonavla Municipal Borough, including the Khandala area.
(6) Dhond Municipal District.

[SCHEDULE III.

(*See* section 10A.)

(*a*) *Bombay Suburban District*—

(1) Kurla Municipal Borough.
(2) Bandra Municipal Borough.
(3) Parle-Andheri Municipal Borough.
(4) Ghatkopar-Kirol Municipal Borough.
(5) Juhu Municipal District.
(6) Chembur Village.

(*b*) *Thana District*—

(1) Thana Municipal Borough.
(2) Malad Notified Area.
(3) Kandivali Notified Area.

(*b*) *Thana District*—contd.

(4) Borivli Notified Area.
(5) Mulund Village.
(6) Bhayandar Village.

(*c*) *Ahmedabad District*—

(1) Ahmedabad Municipal Borough.
(2) Ahmedabad Cantonment.

(*d*) *Poona District*—

(1) Poona City Municipal Borough.
(2) Poona Suburban Municipal Borough.
(3) Poona Cantonment.
(4) Kirkee Cantonment.]